

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

WILLIAM D. WHITE,

Plaintiff,

07cv0120

ELECTRONICALLY FILED

v.

JOSEPH JAMES, ET AL.,

Defendants.

Order of Court

And now, this 26th day of March, 2007, upon consideration of the motion to dismiss filed by defendant, Rebecca J. Planisek (doc. no 23), said Motion is hereby DENIED because defendant Planisek has not been sued in her individual, but rather her official capacity as the ADA Coordinator. *See Miller v. King*, 384 F.3d 1248 (11th Cir. 2004) (suit against state official in his/her official capacity is in effect against a “public entity” since real party in interest is the government entity).

s/Arthur J. Schwab

Arthur J. Schwab

United States District Judge

cc: All Registered ECF Counsel and Parties

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